

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

SIDNEY GORDON and JEFFREY TAUBER,

Plaintiffs,

v.

SONAR CAPITAL MANAGEMENT LLC;  
NOAH FREEMAN; NEIL DRUKER;  
PRIMARY GLOBAL RESEARCH, LLC; SONAR  
PARTNERS, LP; SONAR INSTITUTIONAL  
FUND, LP; SONAR OVERSEAS FUND, LTD.;  
and JOHN AND JANE DOES 1 THROUGH 100,

Defendants.

11-cv-09665 (JSR)

**NOTICE OF MOTION**

PLEASE TAKE NOTICE, that upon the annexed Affidavit of Mark J. Hyland sworn to August 30, 2013 and the exhibits thereto, and upon the accompanying memorandum of law, and upon all prior pleadings and proceedings herein, defendants Sonar Capital Management LLC and Neil Druker shall move this Court, before the Honorable Jed S. Rakoff, U.S.D.J., at the United States Courthouse located at 500 Pearl Street, New York, New York 10007, on September 26, 2013 at 4:00 p.m. or as soon thereafter as counsel may be heard, for the entry of an order dismissing the Second Amended Class Action Complaint pursuant to Fed. R. Civ. P. 12(b)(6) with prejudice and for such other and further relief as the Court deems just and proper.

PLEASE TAKE FURTHER NOTICE, that opposition papers, if any, shall be served on September 13, 2013, and reply papers, if any, shall be served on September 20, 2013.

New York, New York  
August 30, 2013

Respectfully submitted,  
SEWARD & KISSEL LLP

By: s/ Mark J. Hyland  
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